

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Services – Sainik Welfare Department – Punishment of 50% cut in pension for a period of 15 years imposed on Sri M.Rajender, Zilla Sainik Welfare Officer (Retired) – Representation for release of pensionary benefits – Representation disposed off – Orders – Issued.

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**HOME (GENERAL-C) DEPARTMENT**

**G.O. Rt.No. 1155**

**Dated:19-7-2011**

**Read the following:-**

1.G.O. Rt.No.1175, Home (General-C) Department, dated 14.7.2010

2.From the Director, Sainik Welfare, Hyderabad

Lr. No.2003/28/MR/2007-A (Estt), dated 1.10.2010

3.From Sri M.Rajender, Zilla Sainik Welfare Officer (Retired)

**representation dated 7.3.2011**

4.Govt. Memo. No.8086/Genl.C/2007, dated 15.4.2011

5.From the Hon'ble APAT, Hyderabad **interim orders**

dated 18.3.2011 in **O.A.No.1497/2011**

**ooo**

**ORDER:**

In the G.O. 1<sup>st</sup> read above, orders were issued imposing the punishment of 50% cut in pension for a period of 15 years on Sri M.Rajender, Zilla Sainik Welfare Officer (Retired), Mahaboobnagar District, for certain irregularities, misconduct and harassment to ex-servicemen etc.,

**2.** In the reference 3<sup>rd</sup> read above, Sri M.Rajender, Zilla Sainik Welfare Officer (Retired), has represented that he is eligible for the following terminal benefits:

- (1)Family Benefit Fund,
- (2)A.P. Group Insurance Amount,
- (3)G.P.F. Amount,
- (4)A.P. Govt. Life Insurance Scheme
- (5)Encashment of EL & HPL
- (6)Retirement Gratuity
- (7)Service Pension/Provisional pension
- (8)Commuted Value of Pension.

Sri M.Rajender, Zilla Sainik Welfare Officer (Retired) has further represented that he filed applications for release of pensionary benefits on 16.10.2010 and 20.7.2010 to the Director, Sainik Welfare, A.P., Hyderabad. He retired from service on 31.1.2010 and the disciplinary case disposed of on 14.7.2010 and the Pensionary Benefits are not released. The period of suspension is not regularised as leave and the annual grade increments fell due up to the date of retirement are not sanctioned. Government have not sanctioned even the provisional pension as provided in A.P. Revised Pension Rules. Irrespective of pendency of departmental proceedings the amounts ie., (1)Family Benefit Fund, (2)A.P. Group Insurance Scheme (3)G.P.F. and (4)Encashment of EL/HPL have to be released. He has, therefore, requested the Government to examine the delay and order for immediate release of the pensionary benefits to enable him to lead life with dignity.

**3.** Sri M.Rajender, Zilla Sainik Welfare Officer (Retired), has filed O.A.No.1497/2011 against the punishment of 50% cut in pension for a period of 15 years imposed on him. The Hon'ble Tribunal in its interim orders in the reference 5<sup>th</sup> read above, pending disposal of the O.A. directed the respondents to **dispose of** the representation of the applicant dated 7.3.2011 for release of Pension and pensionary benefits such as FBF, AP Group Insurance, GPF, APGLI etc., within a period of four weeks from the date of receipt of a copy of the order.

**4.** In this regard, Shri M.Rajender is informed that the Director, Sainik Welfare, Hyderabad in his letter 2<sup>nd</sup> read above, based on the request made by Sri M.Rajender, Zilla Sainik Welfare Officer (Retired) vide his representation dated 11.8.2010, had requested the Government to **clarify** whether the suspension period w.e.f., 21.6.2007 to 28.1.2010 of the applicant can be converted to leave **and** whether he is eligible for sanction of annual grade increments during the suspension period.

**P.T.O.,**

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5. After careful examination of the request of the Director, Sainik Welfare, Hyderabad, the Government in Memo. 4<sup>th</sup> read above, has given a detailed clarification stating that the competent authority may convert the period of suspension into leave of any kind due and admissible to the Government servant, as per FR-54-B (7) read with the instructions issued in Circular Memo. No.32818/A/521/FR.I/2008, Finance Department, dated 5.12.2008. With regard to sanction of annual grade increments during the suspension period, it was also clarified that if the period of suspension is regularized by sanction of any kind of leave under FR 54-B (7), then the period of suspension covered by any kind of leave except EOL will count for increment under FR-26. While giving the said clarification, the Director, Sainik Welfare, Hyderabad was also requested to take necessary action to ensure that the pension and other pensionary benefits such as FBF, APGIS, GPF, APGLIF etc., are released immediately, as he is the competent authority to do so.

6. Sri M.Rajender, Zilla Sainik Welfare Officer (Retired), is informed that necessary clarification and instructions were already issued to the Director, Sainik Welfare, Hyderabad, by the Government in the reference 4<sup>th</sup> read above, to release all pensionary benefits due to the applicant, immediately, as he is the competent authority. With regard to his request for release of provisional pension, it is informed that since the disciplinary proceedings have already concluded in the reference 1<sup>st</sup> read above, the question of provisional pension may not be any longer relevant as he is entitled for eligible pension. There is thus no further action pending before the Government with regard to release of pensionary benefits of the applicant. Sri M.Rajender, Zilla Sainik Welfare Officer (Retired), is therefore, requested to approach the Director, Sainik Welfare, Hyderabad for release of pensionary benefits, if any still pending.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**P.GAUTAM KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

**Sri M.Rajendar,**  
Zilla Sainik Welfare Officer (Retired), Mahabubnagar  
H.No.5-3-106/16,  
Saikrupa Colony,  
J.J.Nagar- PO, Yapral,  
**Secunderabad-500 087.**

**Copy to:-**

The Director, Sainik Welfare,  
Hyderabad who is requested to take immediate necessary  
action to release all pensionary benefits to  
Sri M.Rajender, ZSWO (Retired), for which he is entitled.  
The Government Pleader for Home (S),  
A.P. Administrative Tribunal, Hyderabad.  
SF/SC

//FORWARDED BY ORDER//

**SECTION OFFICER**